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ENVIRONMENTAL ASSESSMENT BOARD

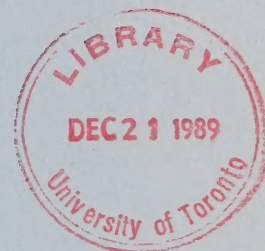
VOLUME: 169

DATE: Tuesday, December 12th, 1989

BEFORE: M.I. JEFFERY, Q.C., Chairman

E. MARTEL, Member

A. KOVEN, Member



FOR HEARING UPDATES CALL (TOLL-FREE): 1-800-387-8810

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EA-87-02

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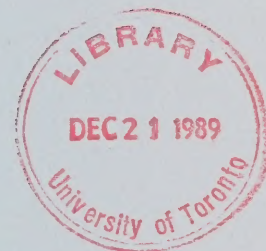


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HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental
Assessment for Timber Management on Crown
Lands in Ontario;

- and -

IN THE MATTER OF a Notice by the
Honourable Jim Bradley, Minister of the
Environment, requiring the Environmental
Assessment Board to hold a hearing with
respect to a Class Environmental
Assessment (No. NR-AA-30) of an
undertaking by the Ministry of Natural
Resources for the activity of timber
management on Crown Lands in Ontario.

Hearing held at the offices of the
Environmental Assessment Board, 2300 Yonge
Street, Suite 1201, Toronto, Ontario, on
Tuesday, December 12th, 1989, commencing at
9:00 a.m.

VOLUME 169

BEFORE:

MR. MICHAEL I. JEFFERY, Q.C.	Chairman
MR. ELIE MARTEL	Member
MRS. ANNE KOVEN	Member



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MR. C. BRUNETTA	NORTHWESTERN ONTARIO TOURISM ASSOCIATION

I N D E X O F P R O C E E D I N G S

<u>Witness:</u>	<u>Page No.</u>
<u>DEAN GORDON BASKERVILLE</u> , Resumed	29983
Continued Cross-Examination by Mr. Freidin	29983
Re-Direct Examination by Mr. Turkstra	30024

I N D E X O F E X H I B I T S

<u>Exhibit No.</u>	<u>Description</u>	<u>Page No.</u>
981A	Diagram of yield curve for the bay-breasted warbler population taken from the 1987 Habitat Supply Forecasting Report.	29983
981B	Diagram of yield curve for marten taken from the October, 1989 New Brunswick Forest Land Project Progress Report.	29983
982	Hand-drawn diagram showing overlay of wildlife management units on timber management units.	30031
983	Hand-drawn diagram by Dr. Baskerville.	30046

1 ---Upon commencing at 9:00 a.m.

2 THE CHAIRMAN: Thank you. Good morning,
3 everyone.

4 Please be seated.

5 Mr. Turkstra?

6 MR. TURKSTRA: Mr. Chairman, before Mr.
7 Freidin finishes his cross-examination, I want to tell
8 the Board - and I think I have told virtually all of
9 the parties - Dr. Baskerville was asked a number of
10 questions about the New Brunswick study on habitat and
11 I asked him to dig it out and it arrived this morning,
12 so that the original study Habitat Supply Forecasting
13 and Forest Management in New Brunswick, which was
14 September, '87, is now here if any of the parties want
15 it. The report on that project up to October the 23rd
16 of 1989 is here, if any of the parties want it.

17 Mr. Hanna tells me, when I showed it to
18 him, that he already had it and it may be introduced or
19 it's likely to be introduced through a witness of his,
20 and I am just announcing that they arrived this morning
21 if any of the parties or the Board want them, instead
22 of just talking about it in generalities we have got
23 the actual document here.

24 Out of those two, because there was sort
25 of a generic discussion of them, I have reproduced two

1 of the habitat yield curves that Dr. Baskerville spoke
2 about. Instead of discussing them theoretically, I
3 thought it might help the Board if you actually saw
4 habitat yield curves that have been done as part of
5 that study. And I thought that -- and I just wanted to
6 let Mr. Freidin know before he finished. I didn't want
7 to do this in re-examination without giving him an
8 opportunity to see that or the other parties.

9 I was going to ask the Board to admit
10 that as an exhibit, because it puts in a very practical
11 way what Dr. Baskerville has been talking about in a
12 conceptual fashion.

13 THE CHAIRMAN: What about the other two
14 documents, shall we admit those at this time?

15 MR. TURKSTRA: Well, it probably is
16 helpful because it flows from Dr. Baskerville's report,
17 but I don't want to take a strong position on that. If
18 other parties want it, it's here; if they don't want
19 it, if they want to introduce it at a later date...

20 THE CHAIRMAN: Mr. Freidin, do you have
21 any objections?

22 MR. FREIDIN: My only concern, Mr.
23 Chairman, is that if we were going to file those
24 documents now it might very well necessitate, at least
25 from my perspective, some time to look at them, because

1 if we are going to file them now, then I might want to
2 ask Dean Baskerville some questions about them.

3 But, as I understand it, these documents
4 in fact are documents which could be spoken to by Dr.
5 Patch who Mr. Hanna says will be called as a witness.
6 He, in fact, as I understand it, is the person who has
7 primed some fairly --

8 THE CHAIRMAN: He is the author.

9 MR. FREIDIN: He is the author of those
10 documents and I think that it would be useful for us to
11 have them available to look at, but I think perhaps
12 they would be best filed as an exhibit when Mr. Patch
13 is here and we have an opportunity to cross-examine him
14 on them.

15 THE CHAIRMAN: All right. I think that's
16 probably a better course of action.

17 So the parties will be aware of them,
18 perhaps we will arrange for them to be available in the
19 Board's reading room in Thunder Bay or in Toronto for
20 the times that we are in Toronto.

21 I don't know how exactly we are going to
22 handle this shifting around the countryside in terms of
23 what documents are available in the reading room and
24 which documents will be available in the Board's
25 offices here, simply because in many cases we only have

1 one copy of the document.

2 MR. TURKSTRA: A large steamer trunk that
3 opens like this. (indicating)

4 Mr. Chairman, I would like to make it
5 the -- I should tell Mr. Freidin that I am going to ask
6 Dr. Baskerville to identify these two habitat curves.
7 It's a very simple document, it's an illustration, I'm
8 sure you won't have a problem with that.

9 I will want to make those exhibits.

10 THE CHAIRMAN: All right. Why don't we
11 do that at this time. I think we will admit them as
12 Exhibits 981A and B.

13 MR. FREIDIN: Thank you, Mr. Chairman.

14 THE CHAIRMAN: Well, actually they are
15 stapled together -- well, we will make them 981A and B
16 I think.

17 MR. CASSIDY: Will you entertain
18 submissions on that, Mr. Chairman?

19 MR. TURKSTRA: Dr. Baskerville has
20 identified these for me. The first is a yield curve
21 for bay-breasted warbler population and the second is a
22 yield curve for marten.

23 The first is from the 1987 Habitat Supply
24 Forecasting Project Report, and the second is from the
25 October, 1989 New Brunswick Forest Land Habitat Project

1 1989 Progress Report.

2 ---EXHIBIT NO. 981A: Diagram of yield curve for the
3 bay-breasted warbler population
4 taken from the 1987 Habitat Supply
Forecasting Report.

5 ---EXHIBIT NO. 981B: Diagram of yield curve for marten
6 taken from the October, 1989 New
Brunswick Forest Land
Project Progress Report.

7 MR. TURKSTRA: Thank you, Mr. Freidin.

8 THE DEPONENT: There is one point, just
9 so it is clear, that the bay-breasted warbler is in
10 fact a yield curve in the sense of a volume yield
11 curve.

12 The marten thing is an actual forecast
13 for a whole licence. Rather than for a stand, it
14 forecasts a whole licence into the future and shows
15 what would happen to the carrying capacity of the
16 marten population over the period 1987 to the year
17 2067. They are slightly different.

18 THE CHAIRMAN: Mr. Freidin?

19 GORDON L. BASKERVILLE, Resumed

20 CONTINUED CROSS-EXAMINATION BY MR. FREIDIN:

21 Q. Dr. Baskerville, I would like to
22 begin by just asking you a couple of questions about
23 surplus, a matter we touched on yesterday.

24 But when discussing accelerated maximum
25 allowable depletion calculations you put some numbers

1 on the board and indicated where you can have a surplus
2 of 105 -- or of 25 if the acceleration was 105 as
3 opposed to a surplus of 20 where, without an
4 acceleration factor built in you have 100.

5 I am more concerned about your comment
6 where you said that this causes concern for industry
7 because surplus might lead to reassignment of harvest
8 rights to others. Perhaps you could just expand on why
9 that would cause concern to industry?

10 A. The concern of industry is that where
11 surpluses exist there is, under the clause of the
12 contract, if I remember correctly, an opportunity for
13 the Crown to reassign access to a portion of the
14 harvest, and I'm not aware of cases where that is
15 actually being used, but the fear is there.

16 Q. Would you agree with me, Dr.
17 Baskerville, if the company itself indicated that they
18 did not need that surplus that from a timber management
19 point of view it would be reasonable to make that wood
20 available to others?

21 A. Yes.

22 Q. And would you also agree that if the
23 company did need it, believed that they did need that
24 surplus perhaps for a future dip in wood supply which
25 was forecasted, that the important thing to have would

1 be a process which provided the opportunity for the
2 company to make that point apparent and to have, as a
3 result, the Ministry agree to allow that surplus to be
4 retained on a stump?

5 A. I think it sounds like a reasonable
6 process. The key here is that the surplus that we are
7 speaking of is in fact an area surplus, it's area
8 that's allocated for harvest that -- it's a larger area
9 than would normally be harvested and the concern of the
10 company, of course, is for volume, not for area. So
11 that a forum that allows that discussion to take place
12 is needed, yes, sir.

13 Q. All right. I understand that you
14 indicated that in your review of the FMAs that they in
15 fact were doing their own volume calculations
16 notwithstanding they were still in area regulation?

17 A. That's correct.

18 Q. So they would certainly be in a
19 position to say, notwithstanding what the area
20 regulation says, Mr. MNR, the volume that we are
21 looking for is "x" and we don't think that we are going
22 to be able to maintain it if in fact you licence off
23 this surplus. They would be in a position to do that?

24 A. They are certainly in a position to
25 make a reconciliation between the flow of available

1 area for harvest and the flow of volume that will be
2 generated.

3 Q. Right. So they can speak to the
4 Ministry about a concern about surplus, speaking not
5 only area but volume as well?

6 A. That's correct.

7 Q. All right, thank you. I would like
8 to ask you just a couple of questions about the
9 situation in New Brunswick generally. First of all,
10 how many forest management units do they have in New
11 Brunswick, Dr. Baskerville?

12 A. Ten.

13 Q. And is there an average size of
14 forest management units in New Brunswick?

15 A. It would probably be about the same
16 size as the MUs here. It would run around 500,000 --
17 400- to 500,000 hectares.

18 Q. Now, the other day you were talking
19 about, I think with Mr. Curtis representing the Ontario
20 Professional Foresters Association, the size of
21 management units and how many foresters there were per
22 unit.

23 When you did your audit, you did some
24 calculations which were aimed at indicating how many
25 foresters there were per unit -- per management unit.

1 Do you recall that?

2 A. An examination of the unit foresters.

3 Q. Unit foresters, yes.

4 A. Yes.

5 Q. And when you made your calculations
6 as to the number of unit foresters per unit, were you
7 looking at only Crown foresters?

8 A. That's correct.

9 Q. So that on an FMA, for instance,
10 there would always be a designated Crown representative
11 which is a Ministry forester, but the company as well
12 would have at least one forester?

13 A. Yes.

14 Q. And in some cases were you aware of
15 whether the company had more than one forester?

16 A. Usually more than one.

17 Q. So it would not be accurate to leave
18 the impression that each unit only had one forester,
19 rather there may have only been one Crown forester.

20 I guess in some cases you found that
21 there were some units where a Crown forester in fact
22 had responsibility for two units?

23 A. Several cases where that was the
24 case, but on the FMA units there generally were two.
25 Sometimes the appointment of the Crown person was on --

1 he would have two FMAs to take care, but the principle
2 that you've just described is correct.

3 Q. And the figures that you received,
4 are these figures that you received from the Ministry
5 of Natural Resources that allowed you to make the
6 calculation as to the number of Crown foresters?

7 A. Yes, they came from personnel.

8 Q. And do you know whether the
9 information which was given to you in terms of unit
10 foresters employed by the Crown that you used for your
11 calculations referred to permanent staff and contract
12 staff or whether it only referred to permanent staff?

13 A. My understanding was it was permanent
14 staff.

15 Q. So to the extent that there may have
16 been contract foresters employed by the Crown in the
17 field, then that would change the calculation then
18 obviously?

19 A. On a temporary basis, yes.

20 Q. Okay. If one is considering the
21 adequacy of the forestry knowledge, if I might put it
22 this way, on any one particular unit, would you agree
23 that it would be reasonable not only to assess or count
24 the number of foresters, but it would be useful to also
25 have some sense as to the number of support staff, and

1 I am thinking of people like forest technicians?

2 A. If one interprets the word knowledge
3 to include general information about the particular
4 forest in question, that's a valid point, that you
5 could process knowledge about how to use information
6 but you still have to get the information in order to
7 operate, and the limiting feature is probably more on
8 the acquisition of information side which is assisted by
9 having technical staff.

10 Q. Now, you also yesterday in speaking
11 with Mr. Curtis -- well, in terms of the size of these
12 units, would you just perhaps list for me factors that
13 you believe might be important for the owner to
14 consider if the owner was trying to determine what
15 number of hectares might be appropriate for one
16 forester to in fact have responsibility for?

17 A. The question is: What's a reasonable
18 size of forest for one person to be --

19 Q. No, no. The question is: What
20 factors would the owner consider when trying to
21 determine that size?

22 In other words, I assume that there must
23 be something more than just an area, there must be
24 things -- factors such as, to give you an example,
25 whether the unit was active or not and there must be --

1 there are other factors that I have in mind, but I
2 would rather have you perhaps take a stab at listing
3 them for me rather than me trying to suggest them to
4 you.

5 A. The two that would come to mind
6 immediately would be the degree of control desired and
7 that would have to do with things -- there are units in
8 which there is no harvesting, no operations scheduled
9 and obviously not much control required, as opposed to
10 units where there is a complex set of raw material
11 demands to be met where more control might be required
12 and the second --

13 Q. Sorry, what was that last one?

14 A. A complex set of mills that require
15 raw materials from the property, and I suppose the
16 second major item would be the cost of hiring and
17 maintaining a person.

18 Q. Is technology or the emergence of
19 technology which assists foresters and other
20 professionals a factor which can affect the number of
21 foresters one might need on a unit or, pardon me, the
22 area, I guess, which could be managed by one foresters?

23 A. Yes, mm-hmm. There would be a
24 potential to trade-off degree of control and area by
25 using advanced technology.

1 The most difficult part of the management
2 process is when you've got the solution from your
3 aggregate model, however you got it, and you try to
4 disaggregate that out. That right now is still a
5 technologically difficult area and still manpower
6 intensive, but the principle I agree be.

7 Q. And we have heard a lot of evidence
8 regarding the amount of effort and time which I guess
9 all MNR staff, including foresters, might have to put
10 in in dealing with areas of concern, not necessarily
11 just wildlife, but tourism and that sort of the thing.

12 If one accepts that time is spent in
13 dealing with those sort of issues. Would you agree
14 that the remoteness of the unit, or putting it another
15 way, the number of competing land uses on a unit could
16 also be a factor when determining the area that a
17 single forester might be able to handle?

18 A. I think I agree with that. The point
19 I was making with respect to the complexity of the kind
20 of mills that draw would, by extension, apply to the
21 uses of the forest. If the uses of the forest are
22 complex the management will be complex and the demands
23 on the designer will be greater.

24 Q. You mentioned during your
25 evidence-in-chief the capping of mills in New

1 Brunswick. In other words, I guess a decision was made
2 that there would be no new mills brought on stream for
3 some period of time?

4 A. That is the effect of the decision.
5 The decision was that the sustainable harvest from
6 Crown land had been reached and that no mill would have
7 a drain on Crown land unless some other mill had
8 reduced its capacity by a similar amount.

9 Q. And when you say the sustainable
10 harvest had been reached, am I correct that in New
11 Brunswick that means that they were fully utilizing
12 their available wood supply?

13 A. The available wood supply is fully
14 committed and committed to the extent that the feature
15 we described earlier, the allowable cut effect, where
16 you accelerate the harvest in anticipation of earlier
17 availability of wood from stands that have been
18 treated, so that everything right at the technological
19 edge just barely equalled the installed capacity at
20 that point.

21 Q. And is that why you indicated that
22 the situation leading up to this decision in New
23 Brunswick arose rather suddenly and that there was no
24 room to debate whether there was a wood supply problem,
25 that existed, and that's what led to the action in New

1 Brunswick?

2 A. Perhaps I foreshortened the time
3 horizon there a little bit. The debate took place over
4 almost the entire decade of the 70s. In the end it was
5 a sudden recognition, literally in one meeting one
6 afternoon, that there was general acceptance of the
7 problem that wood supply existed and that the argument
8 should shift from whether or not there was a problem to
9 how to solve it.

10 Q. So in New Brunswick then if you went
11 and you looked at a particular management unit and you
12 looked at their annual allowable cut, which is somewhat
13 similar to the MAD calculations here, you would see
14 that the annual allowable cut was in fact being fully
15 utilized?

16 A. No, you wouldn't.

17 Q. Then I don't understand then.

18 A. The match of installed capacity to
19 the sustainable capacity of the forest was tight.

20 Q. I am sorry, the relationship ...

21 A. The match between the installed
22 capacity, if you added up the capacity of all consuming
23 mills and compared that to the sustainable flow of raw
24 materials from the forest, the installed capacity just
25 slightly exceeded the ability of the forest to produce.

1 But, in actual fact, the consumption from
2 year to year depends on which mills are operating,
3 which ones have strikes, even on things like weather,
4 but certainly on markets, and in the first five years
5 of the management planning exercise markets were so bad
6 that in fact there was one licence I believe operated
7 at under 60 per cent, between 50 and 60 per cent.
8 There was one that was at about 105. There was quite a
9 variation because of markets.

10 Q. Thank you. Can you turn to page 38
11 of your audit, please. Now, these are the calculations
12 from the six units that you looked at, and am I correct
13 that they show the volume estimates for various species
14 40 years into the future?

15 A. That's correct, based on the
16 management plan that was in force at the time.

17 Q. What do you mean by that, based on
18 the management plan that was in force?

19 A. The management plan contains in it a
20 forecast of -- made with the OWOSFOP model that shows
21 what the availability of area for harvest will be and
22 this represents a conversion not -- that in fact is a
23 harvest schedule, and this represents what that harvest
24 schedule would generate given the way it was described
25 in the management plan.

1 Q. Now, the reduction in volume
2 available, when we start at the left-hand here, from
3 81-85 to 2026 on the right-hand side, as I understand
4 it is the result of the age-class distribution of the
5 forest that one starts with in '81?

6 A. Almost entirely, yes.

7 Q. That if you can predict the
8 shortfalls in a general way, not necessarily this one,
9 but if you can predict a shortfall in supply through
10 modelling, then it is possible to develop and take
11 management action today that may address the potential
12 shortfall. That's the idea of forecasting.

13 A. That's the whole purpose of
14 management, that you would examine the performance of
15 the system you are trying to manage into the future.
16 To the degree that forecast doesn't represent what you
17 are seeking, you find interventions in the forest that
18 would in fact make the forest deliver what you were
19 seeking.

20 THE CHAIRMAN: And those forecasts don't
21 make a lot of sense unless you can convert the
22 shortfall to volume; is that correct?

23 THE WITNESS: From an industrial point of
24 view that's correct.

25 MR. FREIDIN: Q. Now, would it also be

1 fair to say that in some cases, even though you may
2 forecast a dip in supply, that you might have to live
3 with that because there is really nothing you can do
4 silviculturally today to really affect that dip in the
5 future?

6 A. That's correct. There will be
7 cases -- a shortfall that occurs inside 20 years, there
8 would be no silvicultural approach that I know of, no
9 silvicultural strategy that could correct that, a
10 possible exception of moving to something like
11 commercial thinning, but none of the contemporary
12 techniques would do that.

13 As you move further into the future, a
14 problem that arose say between 20 and 40 years in the
15 future, this a forest, there is in certain cases an
16 opportunity to correct that by using things like -
17 tools like precommercial thinning. If there is natural
18 regen there and if it would respond to spacing, it is
19 possible to make those stands available for harvest
20 sooner.

21 Beyond 40 years you have the opportunity
22 to have plantations on line. So that it has to do with
23 the timing of the wood supply problem and the kinds of
24 tools that are at hand to work with.

25 Q. And if we examine these tables, the

1 two pages of tables, can we agree that in some
2 situations the amount of wood which will be available
3 in 2026 goes up in comparison to 81-85 as opposed to
4 going down.

5 I think if you look at the Plonski it
6 goes down in terms of availability in almost every
7 species, but that is not the case across the board for
8 every other unit?

9 A. That's correct. It will be different
10 by unit and by species because the units are different.

11 Q. Right. Now, when you were looking at
12 these tables Mr. Martel asked you whether there may not
13 be enough wood from those units in the future to meet
14 demand, and you said that he was correct, I think the
15 numbers perhaps would bare that out.

16 But can we agree that the situation that
17 you described, and the answer you gave to Mr. Martel
18 about not having enough from some units to sustain the
19 present level right through to 2026 would not be due to
20 poor management, rather it was due to the present
21 age-class distribution which existed on those forests?

22 A. There is an element of chicken and
23 egg there. This represents the application of a
24 uniform application of an area regulation rule and what
25 I did was extract the volumes from it, so that in most

1 cases the unit forester either was not aware of what
2 was happening to volume or hadn't paid very much
3 attention because it was in fact area regulation.

4 The declines that show are driven by
5 changes in forest dynamics, of that there is no
6 question. To say that they are not part of management
7 makes the presumption that management should not have
8 foreseen them and, depending on how long the unit had
9 been in place, I think we could argue that.

10 Is that a fair answer?

11 THE CHAIRMAN: But doesn't that assume a
12 certain level of harvest throughout the period?

13 THE WITNESS: Yes.

14 THE CHAIRMAN: So notwithstanding the
15 change in forest dynamics, if for instance you reduced
16 the harvest, then you may end up finding that the
17 volume supply lasts longer?

18 THE WITNESS: There is one unit there
19 where the actual harvest was 260,000 in the Iroquois
20 Falls Unit in the period 81-85 and the amount available
21 into the future never drops below 578 which is almost
22 double that, and that's the principal species that's
23 being harvested there. In the Plonski unit it happens
24 to go the other way.

25 MR. FREIDIN: Q. But what I am

1 suggesting is that number, that difference is the
2 result of or likely to be the result of the present
3 age-class distribution on the forest and not, in that
4 -particular case, necessarily the wise management having
5 taken place between '81 and the year 2026.

6 I mean, if you just go out there and you
7 just harvest away, you cut everything, you are not
8 going to have that. But what I am suggesting to you is
9 that I am really asking you -- well, I think I am
10 saying that the age-class distribution really affects
11 what your future wood supply will be.

12 You can only work with the wood supply
13 that you have got today and the present age-class
14 distribution, and even with the best of management you
15 may have a shortfall in the future because of the
16 present age-class distribution that you start with. I
17 just want to see whether you can agree to that?

18 A. No, I agree that the age-class
19 structure -- controlling class-structure is the key in
20 terms of getting an evenflow of material over time. If
21 I am hesitating it is because the presumption is --
22 seems to me that where it increased it was because of
23 age-class structure and where it decreased it was
24 because of age-class structure and that management had
25 little impact.

1 But in one of those cases management has
2 been in effect -- I was looking at a management plan
3 that was in fact the fourth or fifth, which means that
4 there had been at least 20 years, and in that situation
5 if volume really were a concern there was in fact time
6 to foresee the age-class structure problem.

7 The fact that age-class structure is a
8 major determinant here is certainly -- I wouldn't argue
9 that.

10 Q. Thank you. One last question on wood
11 supply. Mr. Jeffery asked a series of questions about
12 modelling of wood supply including the level of
13 confidence that you have in your predictions and, as I
14 understand the question, the confidence you would have
15 as to whether the schedule -- or the schedule to make
16 those predictions come true are likely to actually come
17 about.

18 And what I would like to ask you: Do you
19 believe that wood supply modelling is useful and
20 necessary even though you know that predictions will
21 have to change frequently due to assumptions not coming
22 true?

23 A. Yes, that's not a bad statement of
24 the principle of adaptivity, that you would in fact not
25 let any one of those forecasts that we were looking at

1 on page 38 unfold for the whole 40-year period because
2 there is a recalculation at every five-year step and a
3 new forecast, and presumably with learned information
4 in that five-year period some changes in forecast of
5 what the market might bear and in terms of how the
6 forecast might respond biologically.

7 So the idea would be not to -- certainly
8 there is no suggestion that this would be a frozen
9 thing for 40 years. At the end of each five years, the
10 system in fact be in existence then as now, it would
11 require that.

12 THE CHAIRMAN: Is the period five years,
13 in your view, optimum for review or should you do it
14 more frequently or less frequently, or why five years?

15 THE WITNESS: You really are ready for
16 your degree, sir.

17 Five years seem to be a period of time
18 over which the change that's accumulated in a forest is
19 large enough to be measurable, that's -- if you made it
20 any shorter than that it would be very difficult to get
21 an overall assessment of change where the error in your
22 estimate wasn't larger than the change you were trying
23 to measure.

24 If you went much longer than that the
25 control gets sloppy and so that's -- it is generally

1 considered to be the shortest period of time in which
2 we could measure -- capture the difference that's
3 occurring.

4 THE CHAIRMAN: That's on the --

5 THE WITNESS: Forest level.

6 THE CHAIRMAN: --natural side, the forest
7 level side?

8 THE WITNESS: Yes.

9 THE CHAIRMAN: What about on the economic
10 side?

11 THE WITNESS: Oh, you could do that
12 certainly annually.

13 THE CHAIRMAN: For markets and things
14 like that?

15 THE WITNESS: Yes, and does. If you look
16 at the fluctuation of actual harvest annually on any of
17 these properties, you will find that they track
18 markets.

19 MR. FREIDIN: Q. Dean Baskerville, at
20 the time that you did your audit, what did you
21 understand the role played in resource management --
22 what the role the district manager played in resource
23 management?

24 A. The role that he had at that time, as
25 I understood it, was to chair the planning team that

1 consisted of the timber -- the unit forester, the
2 wildlife person, recreation person and fish person in
3 the discussion and general design of the management.

4 Q. And do you have any understanding or
5 belief as to what role, if any, the district manager
6 played in the district in terms of the coordination of
7 the management of all of the resources for which the
8 Ministry of Natural Resources was responsible?

9 A. You mean as in trees...

10 Q. As in trees, as in wildlife, as in
11 fish, as in anything that the Ministry of Natural
12 Resources had responsibility for; what role, if any,
13 did you understand that that district manager played?

14 A. At that level he represented -- he
15 had responsibility for all of those.

16 Q. And what understanding did you have
17 as to the manner in which that district manager
18 exercised that responsibility?

19 A. The district manager's principal
20 intervention appeared to be through these management
21 teams which were emerging, had not existed for the
22 plans that I was looking at which had been written
23 before the new approach, that he clearly had played a
24 role in linking the various concerns, even before it
25 had been formalized.

1 Q. Thank you. In your discussion with
2 Mr. Hanna about areas of concern you agreed -- you got
3 into a discussion about deer yards, and you agreed with
4 Mr. Hanna that deer yards in a spacial and temporal way
5 are not static. And do you recall that general
6 discussion?

7 A. Yes.

8 Q. Now, after making that comment or
9 agreeing with Mr. Hanna you went on and elaborated or
10 began to elaborate on that particular topic, and when
11 you began to do that you prefaced your remarks by
12 saying, and I am quoting you: 'I am pressing the
13 limits', and I am just wondering what you meant by
14 that?

15 A. The limits of my knowledge actually
16 in terms of the management of wildlife in terms of how
17 it responds to habitat change.

18 Q. You made a comment in terms of data
19 collection yesterday that when you are speaking of data
20 collection, it is not a matter of improved data
21 collection if we are talking about more, but rather -
22 and I use your phrase - targeted data collection which
23 is required to manage the resource is what is
24 important. Do you recall that?

25 A. Yes.

1 Q. Dr. Baskerville, is the targetting of
2 certain types of data in this context that is required
3 to manage the resource what you will describe as a
4 technical matter?

5 A. If you were trying to forecast, say,
6 timber by species and the issue is: Where is my
7 forecast weak, where does data contribute to weakness
8 in my forecast, because that's the area that I want to
9 direct my attention to in spending money on data
10 collection. And the identification of those weaknesses
11 in the forecast in a technical sense are going to be
12 the crucial ones, I would say.

13 Q. Can you turn to Exhibit 980 which is
14 your statement -- the witness statement that you
15 released on September the 4th, '86, and could you turn
16 to page 3 which is the last page. In the last
17 paragraph you said:

18 "In my opinion the structure of forest
19 management in Ontario is sound."

20 You indicate in the middle sentence what
21 it is you believe Ontario should do, and in the last
22 sentence you say:

23 "The fundamental need is for the Ministry
24 to examine and refine what is essentially
25 a sound approach."

1 Can you perhaps expand on the reasons
2 that you believe that the structure of forest
3 management in Ontario was sound when you wrote your
4 audit in 1986?

5 A. The approach to forest management
6 that was defined at that time in the manual and
7 persists was area regulation which it would be
8 difficult to argue with as a sound approach. You can
9 argue about what you attach to area regulation in terms
10 of indicating volume performance, but in principle area
11 regulation is an accepted -- an acceptable approach to
12 management.

13 The structure in the sense of providing a
14 manual that showed the kinds of things that needed to
15 be reported, the structure in the sense of --
16 particularly in the sense of protecting against
17 alteration of either the area or the rotations that are
18 used to determine how much is harvested annually, the
19 structure in that was particularly good in the sense
20 that it was not easy to simply play with the numbers
21 and get whatever area that you wanted.

22 The free to grow principle of trying to
23 take - you don't try to - a hectare when it is
24 harvested is removed from the land base that is used to
25 make the calculation for the area that can be harvested

1 in the next period. It does not return to the land
2 base until the stands on that have been determined to
3 be free to grow. That's the numerator of the equation
4 that determines how much you can harvest. The
5 denominator is the rotation, and that also was under
6 fairly careful control through a set of guidelines.

7 So that the principle of applying area
8 regulation was being followed, there was reasonable, in
9 my view, protections against the misuse of it. The two
10 places where there was a chance for tinkering were I
11 thought well protected.

12 The issues that I raised had not to do
13 with what had been chosen as an approach, but with how
14 it was implemented, the mechanics of how it got done,
15 the degree to which it was a thinking process,
16 thoughtful choice of management as opposed to following
17 rules.

18 THE CHAIRMAN: Dean Baskerville, in
19 addition to what you have said in this last answer,
20 apart from the fact that the public at large may find
21 it difficult to follow what is going on simply because
22 of the way that the data is presented and perhaps even
23 the public's understanding of how that data should be
24 interpreted with respect to your audit, would you
25 consider that somebody who has knowledge of forestry

1 and is in the expert category would have any difficulty
2 following the management system that you reviewed and
3 coming to the conclusions that you came to?

4 In other words, we have heard some
5 evidence that the public at large doesn't necessarily
6 believe some of the results that have been put forward
7 from time to time based on management in the past, they
8 have difficulty taking a look at the statistics and
9 looking at the way the data is presented to arrive at a
10 conclusion which confirms in their minds that
11 everything is sound in terms of the system, you as an
12 expert came in and reviewed it in the form of an audit
13 and came to those conclusions.

14 And I guess the question is: Is there in
15 your view a disparity the way somebody who is
16 knowledgeable in the field of forestry would be able to
17 interpret the data as presented and somebody who is
18 not; and, if so, then there might be some valid reasons
19 why the message getting out to the public should be
20 presented in a different fashion so that they also can
21 follow along and assure themselves that, as you
22 indicate, that management is sound.

23 THE WITNESS: The way the management plan
24 is put together, I would think that a person who was
25 reasonably persistent could in fact read that manual,

1 read a management plan and examine it for conformity.

2 So in terms of: Has the plan followed
3 the area regulation approach and has it done those
4 things, that part of the system you could find your way
5 through with a white cane, it's very clear.

6 I could oversimplify -- it seems to me
7 that most of the argument comes not from: Has the
8 management plan been written appropriately and has it
9 been carried out to the degree that markets allow, but
10 with the flow of volume, and the management plan, the
11 way it was structured then, didn't forecast volume and
12 that was the point of the discussion that we had just
13 had a little while ago and there is confusion about
14 whether the volume is available even if the area is.

15 There is -- I think in the public mind it
16 is difficult to understand, if you had a rotation of 50
17 years each year, one fiftieth of the area would be
18 harvested roughly, assuming that it got through free to
19 grow and got back in. So that by year 10 something
20 like 20 per cent of the area would appear to be
21 cut-over or a recent cut-over and that's big enough
22 that you are going to really see it.

23 In fact, if you want to convert a wild
24 forest to a managed forest, that's one of things that
25 does happen, there will be a lot less young forest,

1 young stands than there are in a wild forest.

2 The wild forest that we are harvesting
3 has -- it is really impressive if you look at age-class
4 structures, how consistent they are. The stands come
5 from ancient fires that must have been incredibly
6 extensive in the north and there would have been a
7 period back there when all of the forest, as far as you
8 can have seen, would have looked like it was cut-over,
9 it was recent burn.

10 The principle of area management, area
11 regulation or management in any form, is that a portion
12 of the land is in all of those stages of development
13 all of the time.

14 Now, in the transition, from looking at a
15 forest that is mostly old to seeing a forest that is
16 now partly old and partly very young but not much
17 inbetween, I think there is a perception of an extreme
18 change.

19 And it is a transition that I argued
20 earlier we have to recognize, if you want to get to a
21 managed forest, you have to go through the transition.
22 I would argue that the transition is more difficult to
23 navigate than would be simple exploitation or managing
24 once you get through it, that the design of management
25 and of getting people to understand what is happening

1 in that transition are major problems.

2 We frequently get comparisons, get
3 ourselves compared in this country to what happens in
4 Europe. They went through the transition that we are
5 going through several generations ago. It was, from
6 what I can tell, just as dramatic in Sweden in the late
7 1800s and early 1900s as it is now here in this
8 country, for instance, as they brought limits to
9 exploitation, brought the forest into a balance where
10 the - I was just wondering if I was ever out of sight
11 of a cut-over in the 10 days I was in Sweden, and
12 except maybe when I was in downtown Stockholm, I doubt
13 if I was - that the people there just drive by them,
14 that they are part of the landscape, and they tend to
15 be small.

16 But if you want to get to a managed
17 forest, you go through a period where it is going to
18 look quite different in its look and you hear the
19 public react to appearance and the issue of volume.

20 The volume tends to come from concerns
21 from industry, the appearance tends to come from the
22 public. It is an intentional change of nature to
23 manage, it is evening out, so that what is available
24 over time will be more even.

25 MR. FREIDIN: Q. Dean Baskerville,

1 perhaps following along from the question that the
2 Chairman asked, I am going to perhaps put the question
3 to you by way of a hypothetical in the extreme, but it
4 might elicit your view.

5 Let's assume that the public have been
6 involved in the objective setting as you have
7 indicated, then the technical people have to deal with
8 preparing a plan setting out how they are going to
9 deliver the objective.

10 If you were in a situation where to make
11 the plan understandable in its technical sense to the
12 public required taking time away from the technical
13 aspects of actually delivering the product, so that
14 perhaps you would suffer on the technical end your
15 ability to deliver the product, which side would you
16 come down on; would you come down on saying: Let's
17 make sure that the product, the objective that the
18 public had been involved in gets delivered, or would
19 you say at the expense perhaps of delivering the
20 objective: Let's write plans which everybody can
21 understand even though they don't have any scientific
22 background?

23 THE CHAIRMAN: Why can't you do both?

24 MR. FREIDIN: That might be a matter that
25 we could put to Dean Baskerville as well.

1 Q. But let's start with my question, if
2 we might, Dr. Baskerville.

3 A. We certainly would fear greatly the
4 idea of trying to write a plan that anybody could
5 understand because, if it were that simple, I don't
6 believe we would be here.

7 That particular trade-off that you raise
8 is one that, in my opinion, we don't pay sufficient
9 attention to. We have limited manpower - whether it's
10 one unit forester or two units per foresters, or one
11 unit forester and some technicians - we have limited
12 manpower and if we wrote a technically perfect plan and
13 the public didn't like it, you would not be allowed to
14 implement it. The process in this time and age of your
15 society is that it is incredibly easy to bring things
16 to a halt.

17 So that significant effort - this doesn't
18 answer your questions in terms of direct proportion,
19 Mr. Freidin - but to me, significant effort must be
20 devoted towards, perhaps explaining is the word,
21 certainly making the public, giving them an opportunity
22 to understand what that transition to management looks
23 like, what it involves, the kinds of actions that it
24 involves, and the time span that it involves; not just
25 the objectives by themselves, but the actions are the

1 things that people react to.

2 They say the objectives are fine, but we
3 want you to change the actions. If you change the
4 actions, you can't reach the objectives sometimes.

5 MR. MARTEL: Hasn't the problem been or
6 continues to be that various groups out there simply
7 have not trusted government in what it has done in the
8 forest and we have to convince the public (a) that the
9 Ministry knows what it's doing and set targets that are
10 reasonable and explain it in such a way that the public
11 accepts that as what's going to happen.

12 And, I mean, if you take a look at
13 Ontario, in the past 10 years there has been tremendous
14 change. Prior to that, prior to that there was real
15 skepticism; there is still some skepticism, but I think
16 it's changing to some degree. But you are going to
17 have to assure the public that you know what you are
18 doing and, at the same time, you are protecting
19 everything that is out there.

20 That is not going to be an easy task
21 because there is mistrust by the public. Having lived
22 in the north you recognize that, you try and beat that
23 down after a while and it becomes a very difficult
24 problem trying to sell it to the public as something
25 that is feasible.

1 THE WITNESS: There is an awareness
2 Ontario part of the public of what is going on in the
3 forest. Now, that certainly wasn't there 20 years and
4 may not have been there 10 years ago. You couldn't get
5 five people to sit down and talk about forestry 20
6 years ago. Now, if you open up a discussion you could
7 get a lot of people.

8 So that the interest is there and the
9 devotion of time to try and explain a technical matter
10 in a way that they can grasp, I don't think we have
11 done a very good job of it.

12 MR. MARTEL: If I might show an
13 illustration. A gentleman told me recently if you had
14 a clearcut and a jack rabbit wanted to cross it, he
15 would have to carry a lunch pail. I mean, that is
16 their perception of what's going on, that it's just
17 totally wasted, and so that there is somewhere in there
18 we have got to overcome that.

19 THE WITNESS: No, I don't argue with that
20 idea, the same sorts of things. The point is that in
21 that transition to a managed state there will be
22 cut-overs, there isn't any other way that you can...

23 We have I guess two choices: We can
24 allow cutting to go on -- a range of choices at two
25 extremes: You can allow it to go on in an uncontrolled

1 manner just wherever, cut the best and leave the rest,
2 which was the traditional approach before we began to
3 try and manage, or we can say we are going to try and
4 structure our use of the forest which is really what
5 management is, structure our use of the forest and we
6 have to adapt both the forest and ourselves in that
7 period of transition.

8 The public seem to believe that the day
9 you announce you have managed -- you have started to
10 manage your forest that the forest is managed. I would
11 suggest that maybe five to six decades after you start
12 you would reach that or have a close approximation of
13 it.

14 THE CHAIRMAN: Dean Baskerville, do you
15 feel that with the advent of a GIS system in place that
16 that will make it easier to explain to the public,
17 where you can actually illustrate by overlaying what is
18 happening out there over what you anticipate will
19 happen out there?

20 THE WITNESS: The use of tools like that
21 does appear to make it easier because when you
22 aggregate you can do it systematically. One of the
23 neat things to see happen is there are something like
24 2,200 map sheets to cover the Province of New Brunswick
25 with cover types of the order -- the average stand size

1 is something like six or seven hectares, just under 10
2 hectares.

3 It's possible with the GIS to aggregate
4 that to one map of New Brunswick that would fit on that
5 display board and would be entirely consistent in the
6 way it aggregated data and had cover types that were
7 aggregated from that.

8 Now, you wouldn't be able to see all the
9 five hectare units or 10 hectare units obviously, but
10 the way it was made, say, from 30 different types into
11 softwood, mixed wood, hardwood or cut-over or whatever,
12 you could characterize it and it would be consistent.

13 Being able to do that makes it much
14 easier to deal with public perceptions of what the
15 forest is and over broad areas.

16 The difficulty, the fundamental
17 difficulty is that you can't see a forest except in
18 numeric form. You can see a tree, you can see a stand
19 and walk through it, but a whole forest you just -- you
20 can't see it except in numeric form. It has 200,000
21 hectares, it has a growing stock of 400-million cubic
22 metres, it has a harvest level of a mill and half cubic
23 metres, but they are all numeric descriptions.

24 THE CHAIRMAN: Where would the Board go
25 in Ontario, if there is a place, where we could see

1 what we you would consider a fairly sophisticated GIS
2 system that is up and running, or is there a place?

3 THE WITNESS: Yes. Timmins, the Plonski
4 Forest and the Abitibi-Iroquois Falls Unit, both done
5 with assistance from a group at Petawawa National
6 Forestry Institute and state-of-the-art operations. I
7 would really encourage your group to do that.

8 THE CHAIRMAN: I think, Mr. Freidin, that
9 the Board would like to request at some point over the
10 next number of months or years the opportunity to
11 actually see a GIS system on one of these units or in
12 one of these locales.

13 MR. FREIDIN: I put it on my list three
14 days ago.

15 THE CHAIRMAN: Okay.

16 MR. HANNA: Mr. Chairman, if I might just
17 interject there. If we are going to go through that,
18 it might be also a wise thing, the Ministry is involved
19 in undertaking the complete spectrum of doing habitat
20 supply analysis, at the same time that we might try and
21 get one that the Board would be able to see both the
22 forest and wildlife being done simultaneously. I
23 believe it is being undertaken.

24 THE CHAIRMAN: Is there one in Ontario?

25 MR. HANNA: I believe there is that is

1 close to being --

2 MR. LITCHFIELD: The project started, it
3 isn't up and running yet. There is development
4 prototype work being done. It's not as far along as
5 timber GIS in Timmins, Plonski and Iroquois Falls.

6 MR. FREIDIN: The person speaking, his
7 name is Martin Litchfield, L-i-t-ch-h-f-i-e-l-d.

8 THE CHAIRMAN: And I take it in New
9 Brunswick you have got both up and running.

10 THE WITNESS: Yes.

11 THE CHAIRMAN: Where, at your university;
12 is that where it is done?

13 THE WITNESS: No, in the Department of
14 Natural Resources. You might find it actually more
15 instructive to look at an emerging habitat supply
16 analysis here in your own province. The stage that
17 that program is at right now is the toughest stage that
18 you see it, where it's still simple nuts and bolts.

19 The two diagrams that I took out of those
20 papers for you this morning, the warbler curve was
21 actually drawn before the program began, it was sort of
22 a for instance, it turned out not to be far off as it
23 happened. The other, the forecast is what is capable
24 now. The hard part is that first step.

25 THE CHAIRMAN: Well, I think the Board

1 feels - and I think I speak for my colleagues - that if
2 this is essentially the wave of the future in terms of
3 the route jurisdictions are going, GIS, habitat supply
4 analysis, it would be I think instructive for the Board
5 to at least be able to see what state it's at and what
6 is involved so that we could throw that into the
7 decision-making hopper at such time as we have to
8 consider at the end of this case what to do with all
9 the representations made by all the various parties.

10 MR. TURKSTRA: I was going to suggest
11 that Mr. Freidin do that as Exhibit 1000 in Iroquois
12 Falls.

13 MR. FREIDIN: I was just thinking that
14 unfortunately you said that we could do it here, I
15 thought the lobster would be a lot better in New
16 Brunswick.

17 MR. CASSIDY: I agree with that.

18 THE WITNESS: There is only one
19 restaurant in Iroquois Falls, Mr. Turkstra, and I don't
20 think it's up to your standard.

21 THE CHAIRMAN: Well, we shall choose when
22 and where the one thousandth exhibit is admitted,
23 depending on what is available I suppose.

24 MR. FREIDIN: Q. If I might just go back
25 and the Chairman -- I asked a hypothetical, and I'm not

1 going to press you to come down on either side, and the
2 Chairman said: Can't you have both.

3 Would it be fair to say that it's not a
4 difficult decision as to where you draw the line as to
5 how much of either you can have, that it's always going
6 in part come down to a question of manpower and
7 dollars, at least as two very important factors?

8 A. Two very important factors plus your
9 reading of the local situation. I think that there are
10 going to be places where dealing with the technical
11 issues may be more important than trying to handle the
12 public perceptions and other situations, other
13 management units where it will be the other way around.

14 MR. FREIDIN: And if I just might sort of
15 borrow a phrase from you, Dean Baskerville, you say
16 'you might just as well start', and I know there are
17 people in this room who will differ, but to address one
18 of your concerns, Mr. Martel, about perhaps mistrust by
19 the people - and I don't really want to pre-empt my
20 argument - but I think part of the task in terms of
21 convincing the public is for people here, and I speak
22 for the Ministry, to convince the Board what is going
23 on and for the Board, through its decision, to at least
24 start telling the public what the situation is.

25 So I think that is one of the reasons we

1 are here.

2 I would like to finish off, Dean
3 Baskerville, by asking you some questions which arise
4 out of a conversation I had with you I think the first
5 day and it was during one of the breaks. I think you
6 indicated to me that you are a football fan?

7 A. I'm a chartered member of the 99 per
8 cent wrong club. I'm known always to be able to pick
9 the loser in a Grey Cup game.

10 Q. Okay. Now, I think these questions
11 you probably will be able to answer with a yes or no.

12 Would it be fair to say that if you
13 wanted to play in the Grey Cup game you would have to
14 at least get a team on the field?

15 A. Yes.

16 MR. MARTEL: That is the Argos.

17 MR. FREIDIN: Q. That if you want to
18 attain your goal that you would want professionals on
19 the team?

20 A. Yes.

21 Q. That you would want professionals on
22 your team with different expertise?

23 A. Yes.

24 Q. That you would want a play book but
25 you would want to have flexibility to make sure that

1 your professionals could in fact adapt to change in
2 case somebody fumbled the ball?

3 A. Yes.

4 Q. You would want good coaches?

5 A. Yes.

6 Q. And that you would want, particularly
7 if you are an Argo fan - but I'm a Saskatchewan fan,
8 and I can speak from expertise in that - that you would
9 want fans to stand by and support the team while they
10 were trying to achieve their goal, even as they
11 embraced error along the way?

12 A. Yes.

13 Q. Would you say the same is true for
14 timber management?

15 A. That's not a bad analogue. I like
16 that.

17 Q. I thought you would say that.

18 MR. FREIDIN: Those are my questions,
19 Dean Baskerville. Thank you very much.

20 MR. HANNA: Mr. Chairman, one point of
21 clarification. Who is the coach, Mr. Freidin?

22 MR. FREIDIN: I have no further
23 questions.

24 THE CHAIRMAN: Thank you. Thank you, Mr.
25 Freidin.

1 Before we get to you, Mr. Turkstra, I
2 think we will take a morning break. 20 minutes.

3 ---Recess taken at 10:15 a.m.

4 ---On resuming at 10:45 a.m.

5 THE CHAIRMAN: Thank you. Be seated,
6 please. Mr. Turkstra?

7 RE-DIRECT EXAMINATION BY MR. TURKSTRA:

8 Q. Well, Dr. Baskerville, I guess I can
9 scrub the question: Can you give the Board some
10 indication where they might go to a see a functioning
11 GIS system in Ontario. Looks like that became pretty
12 obvious, Mr. Chairman.

13 Yesterday, Dr. Baskerville, you were
14 asked a series of questions both by Mr. Curtis and by
15 the Board about whether or not you would recommend that
16 one person or one type of person manage the managing
17 unit as it was attempting to integrate and, I had the
18 sense that you were skate around a little bit on coming
19 to grips with that question as to whether it should be
20 one person and whether that one person should be a
21 forester.

22 Can you give the Board your bottom line
23 opinion on that?

24 A. It's a matter more of the
25 characteristics that the person possesses and the

1 characteristics you are looking for is an interest in
2 and ability to design management. The part of the
3 reason that I was skating had to do with the notion
4 that if I have a biology degree and know all about
5 warblers why can I not be the manager as it were.

6 An analogue that came to mind was that
7 the design of this building is based on principles of
8 physics, the beams that carry the floors are all
9 designed based on modulars of elasticity of the metal
10 beam and so on, but I would much prefer to be in a
11 building that was he signed by a civil engineer who was
12 a structural engineer than by a physicist.

13 The distinction is one of using
14 particular knowledge skills to design management as
15 opposed to simply knowing some of the parts. So that
16 the characteristic you are looking for is an ability to
17 manage, to design management, and I can even see where
18 in a team you might find that on a unit where
19 recreation predominated, if there was a recreation
20 person who had those skills that he would be the team
21 leader.

22 I would expect that the timber part would
23 be dealt with a person competent in that area and that
24 in all cases the wildlife would be dealt with by a
25 person competent in that area, but the leader should

1 reflect, I think, the dominant influence.

2 Q. Are you saying that in different
3 units, depending on the complexity of the system or the
4 characteristics of the system being managed, that it
5 might be a different type of person in a different type
6 of unit?

7 A. Exactly.

8 THE CHAIRMAN: And you are saying that
9 the leader should in most cases represent the dominant
10 interest and then it's a matter of deciding--

11 THE WITNESS: Integrating.

12 THE CHAIRMAN: --in a particular unit
13 what the dominant interest is.

14 THE WITNESS: Yes.

15 MR. MARTEL: In forest management -- in
16 timber management though; is it not, will it come down
17 to the dominant force being timber all the time, or
18 will it not?

19 THE WITNESS: I don't think that that is
20 necessarily true, that if you look at the amount of --
21 the manner of the use of all of those units, you will
22 find that some, particularly in the south, would be
23 dominantly recreation.

24 One of the units I looked at was Minden
25 and I think you could make a case that recreation was

1 considerably more important than timber in that case.

2 MR. MARTEL: Peter Hynard would like to
3 hear that.

4 MR. CASSIDY: I am sorry, I can't hear
5 you.

6 MR. MARTEL: I said, Peter Hynard would
7 like to know that.

8 THE WITNESS: I think Peter would agree.

9 MR. FREIDIN: Sleepy little backwater.

10 MR. TURKSTRA: Q. Similarly, when you
11 started responding to questions you were talking about
12 a manager, and during the course of the questions you
13 were asked whether the plan had to be authored by one
14 person or whether it could be a team, and then in some
15 of your answers you used the word a small team.

16 And I wonder if you can help the Board
17 with what your views are as to, if it's to be a team,
18 how big, let's start with that question?

19 A. The team needs to be small enough and
20 close enough that the members of it interact
21 intellectually as opposed to exchanging letters or fax
22 coms; they should be at one place, in other words.

23 The size is a little more difficult to
24 nail down, but if you get larger than five, it's going
25 to become very awkward to retain real commitment to the

1 plan. There shouldn't, in my view, be a person sitting
2 at that table or signatory to the plan who doesn't feel
3 total commitment to the total plan. If they don't, if
4 they feel that somehow or other they have been relieved
5 of some of their responsibility by the fact that others
6 signed, you have a dangerous situation and it takes a
7 small group to achieve that level of understanding.

8 THE CHAIRMAN: Dean Baskerville, we have
9 had evidence before us in terms of suggestions for the
10 composition of these management teams that have ranged
11 from including all kinds of interest-groups; i.e.,
12 other users, particularly non-timber users of the
13 forest, to a more compact controlled group.

14 Industry in most cases was considered to
15 be a member of the team, particularly on FMA units
16 because they would be the ones primarily responsible
17 for having to implement the plan.

18 THE WITNESS: Mm-hmm.

19 THE CHAIRMAN: In some cases there would
20 be a tourist representative representing the tourist
21 industry, but then in many instances there is some
22 suggestion that somebody from the native communities be
23 a member of the team, somebody from Ministry of the
24 Environment, somebody from the Anglers & Hunters, and
25 you could go on until you end up, if it's a particular

1 unit, with a wide variety of non-timber uses with quite
2 a number.

3 And it becomes difficult, I would
4 suggest, to say that some can become members of the
5 team and others can't, and the trade-off is either
6 making some of these representatives actual members of
7 the team or having them on as advisors to the team.

8 So you would have a secondary group
9 supposedly which could contain a larger number in the
10 category of advisors and they would receive, in some
11 cases, minutes of the management team meetings or other
12 documents and supposedly their input would be limited
13 to what their particular interest might be as opposed
14 to having an overall responsibility in all facets of
15 the development of the plan.

16 How do you feel about that kind of
17 structure, in terms of who should be members per se of
18 the planning team?

19 THE WITNESS: I believe that this will
20 only work if the planning team is made up of
21 technically competent people from within Ministry. The
22 issue that you describe is: How do you relate
23 technical planning to the user community which is a
24 different issue, if you...

25 THE CHAIRMAN: And when you say;

1 technical people from within the Ministry; are you
2 including industry in that such as the unit forester on
3 an FMA unit, obviously since he has the responsibility
4 under the present legislation of developing the plan,
5 he sort of has to be on the team?

6 THE WITNESS: Yes, I think that would
7 have to be.

8 The danger of making it large and
9 including users who cannot be held in any way
10 accountable for either the design of the plan or its
11 outcome is that you will get a separation of the means
12 and the ends, they will be chosen independently.

13 Could I draw a diagram, it might make it
14 simpler.

15 MR. TURKSTRA: Mr. Chairman, before Dr.
16 Baskerville starts, can I take yesterday's exhibit off.
17 It's underneath there, Dr. Baskerville, if I could. I
18 think we agreed that --

19 THE CHAIRMAN: Is that going to be marked
20 in any way?

21 MR. TURKSTRA: Well, this was Dr.
22 Baskerville's illustration yesterday and, as I said, he
23 referred to it about 12 times. He was talking about
24 areas. I don't know whether you want it as an exhibit
25 or not, but it's what he was using yesterday, showing

1 the areas where there was no responsibility.

2 THE CHAIRMAN: Does anybody want that
3 marked?

4 MR. HANNA: I think it's a good idea, Mr.
5 Chairman. I think we agreed yesterday to mark it as an
6 exhibit. I don't know whether it was reserved a number
7 or not.

8 THE CHAIRMAN: I don't think we reserved
9 a number, so we'll mark it--

10 MR. FREIDIN: Could you make that sub C
11 of the last number.

12 THE CHAIRMAN: --as 982.

13 ---EXHIBIT NO. 982: Hand-drawn diagram showing overlay
14 of wildlife management units on
timber management units.

15 THE CHAIRMAN: What should we call this,
16 Dean Baskerville? First of all, which way does it go?

17 I think it goes this way.

18 THE WITNESS: It was an overlay of
19 wildlife units -- wildlife management units on timber
20 management units, I believe was the intent.

21 MR. FREIDIN: We are auctioning off all
22 the art at the end.

23 THE CHAIRMAN: I think we need your
24 signature. We want a signed copy. This could be
25 valuable some day.

1 MR. CASSIDY: One of one.

2 THE CHAIRMAN: One of one, right.

3 MR. TURKSTRA: We are now to \$2,500, Mr.
4 Chairman, for a copy.

5 THE WITNESS: We have a planning team
6 and, in my view, the planning team should generate a
7 series of alternatives which are -- so that each
8 alternative would contain a consistent forecast of:
9 These things are possible given these actions, so that
10 these would be either alternative ways of getting to
11 the same goal or even having different goals.

12 The public as owners should have an
13 opportunity to see those and play a major role in
14 choosing which one -- which of these is acceptable.
15 Once they have chosen that or taken part in the choice
16 at least, the choice goes back to the planning team who
17 should be, in my view, responsible for implementation
18 that somebody -- these people who made the plan are in
19 fact held responsible and accountable for making it
20 happen in the forest.

21 Periodically there should be an
22 evaluation of what has been implemented relative to
23 what was created as a plan and a portion at least of
24 that information has to be passed -- or the value of
25 the information in some manner has to be passed back

1 here (indicating) so that you have got a loop that
2 starts here (indicating), the planning team generates
3 some reasonably possible futures, if I can use that
4 phrase, the public and the planning team together pick
5 one of these, they choose it, they implement it, and
6 periodically you evaluate to see whether or not you are
7 generating what you thought you were going to generate.

8 And, again, the people who played a role
9 in the choosing should see at least at the same level
10 that these were, the alternatives were originally
11 displayed, should have an opportunity to review
12 performance periodically because they may indeed have
13 decided that either the outcome wasn't what they really
14 wanted after, that happens from time to time, or that
15 the actions involved weren't the ones that they
16 expected.

17 MRS. KOVEN: Dr. Baskerville, where does
18 the attitude come from that, let's say interest groups
19 with a special interest in management and the
20 protection of non-timber values, where does the
21 attitude come from that in fact they should not be part
22 of the planning team, that in fact they would have no
23 technical expertise, when I think the situation has
24 been that in recent years there has been quite a
25 development of technical expertise in various public

1 interest groups which would certainly qualify them in
2 that sense to be represented on a planning team at the
3 stage where the alternatives are being developed, not
4 at the second level where they are simply left with a
5 choice of what exists.

6 THE WITNESS: Where does the attitude
7 develop. In my case it was the only attitude - I can
8 explain that way - it has been my experience that the
9 expertise that exists isn't in planning, it's in --
10 it's more like the underlying -- a piece of the
11 underlying biology, whereas what you need in that
12 planning team are people whose mind orientation is
13 towards system control rather than looking at one part
14 of it.

15 To the extent that someone has that
16 willingness and ability to grasp the whole system, that
17 is what we want in the planning box. I think also you
18 want in the planning box people who can be held
19 accountable. There is no point in closing this loop if
20 in fact the people in the implementing -- in the
21 planning team can't be held accountable for the
22 outcome, and if they are not members of the
23 organization that is legally responsible, they can't be
24 held responsible.

25 So to make that work, I believe - I

1 really believe this - that the most important role that
2 those experts of the kind you described can play is in
3 assisting in the choice of alternatives. Maybe we need
4 another loop in here that allows an A5 to get
5 generated, but there needs to be, in my view, a group,
6 small and identifiable, when a plan comes out and is
7 being implemented who are clearly accountable for what
8 is happening on the ground in terms of making a
9 forecast turn into a real future.

10 MR. TURKSTRA: Q. Does the absence of
11 that kind of accountability, in your view, have any
12 impact on the implementation or productivity that comes
13 from the whole process? If you don't have that
14 accountability, what does that do to productivity or
15 implementation?

16 Can I phrase it another way. What is the
17 importance of the accountability, what does it do for
18 anybody?

19 A. I believe it sharpens peoples' minds
20 in terms of being more rigorous in -- about saying what
21 you are going to do and what you actually do, that
22 the -- without a feedback loop that says periodically
23 your performance was this, well on a scale of 10 you
24 just did an 8 or a 3 and here are the features where
25 you are deficient, that there is a tendency for these

1 things to resolve into satisficing in the classic form.
2 That if we really want to close on a goal, you must
3 have persons or a group who periodically are confronted
4 with: There is what you forecast, here is reality,
5 they are different, now explain it.

6 THE CHAIRMAN: When you talk about
7 accountability, and having been Deputy Minister --

8 THE WITNESS: Assistant Deputy Minister.

9 THE CHAIRMAN: Sorry, Assistant Deputy
10 Minister, what do you mean by accountability? Suppose
11 the planning team screws up to the point where what
12 happens on the ground doesn't happen, does that mean
13 that the people who are responsible for it not
14 happening -- how are they held accountable; does it
15 affect, in your view, their careers directly, is it
16 just a matter of them having to attend a session and
17 the errors of their ways pointed out or, you know, what
18 is the real accountability when you are dealing with a
19 government bureaucracy, bearing in mind that
20 governments are large, are structures which have all
21 kinds of - I won't say safeguards built into them - but
22 it's not that easy, and I'm saying this with some
23 degree of experience, to discipline so to speak within
24 the public sector to the same extent it might be in the
25 private sector?

1 MS. SWENARCHUK: Mr. Chairman, could we
2 expand this question a little bit, because it's a
3 question that I was going to ask you if I could ask
4 too, that the nature of the accountability that is
5 being discussed here, which is surely not merely a
6 question of personnel disciplining but accountability
7 overall to the public.

8 Perhaps the direction that you are going
9 with your question is technical competence, making it
10 happen on the ground what is in the plan, and I would
11 be happy with Dr. Baskerville's comments on that as
12 well. But what about the other issue of
13 accountability, the plan that does not in fact respond
14 to the concerns of the public raised, how are people in
15 fact held accountable for that?

16 THE CHAIRMAN: I mean we have, you know,
17 the basic democratic theory, you know: It's
18 government, you don't like it, go to the polls, throw
19 out the government. I mean, there is always that in
20 the background, but apart from that, how do you see
21 accountability in the context in which you are
22 describing it?

23 THE WITNESS: There are a number of ways
24 where accountability could influence people in that --
25 or the system, the bureaucratic system could

1 accommodate a reward or a penalty for people in that
2 system. A reward is the nicer way to approach it. The
3 simplest one would be to allow planning teams that were
4 successful, that when the feedback loop closed and the
5 public said: Yes, we chose alternative 4 and what you
6 have implemented is indeed alternative 4, and where we
7 didn't get what we expected, you have adjusted your
8 forecasts and your procedures and it looks like we are
9 closing on our goal over time.

10 The system I believe could readily allow
11 such planners more freedom to carry out their planning
12 in the way they went about doing it, release them from
13 some of the constraints of manuals, for instance
14 whereas the ones who are less successful, you would
15 want under tighter control. They aren't all equal out
16 there, they don't have the same experience.

17 I think there could be some pretty nice
18 rewards in there with just a slight bit of innovation
19 in the system. The people who are doing that are
20 there, a large part of them, because they truly want to
21 do it. That is the best job in Ontario. I would take
22 a unit forester's job.

23 MR. FREIDIN: You're hired.

24 THE WITNESS: I'm serious, that is where
25 the action is.

1 THE CHAIRMAN: And then going to Ms.
2 Swenarchuk's question, the larger question, how do you
3 foresee the Ministry held accountable to the public for
4 a failure in delivering on a plan?

5 THE WITNESS: For a unit, I would say in
6 the closure of that top loop. It's got -- your ability
7 to tell whether or not you have delivered is going to
8 be how clearly that is defined (indicating), the
9 alternative of what you chose and how it relates to
10 this, but if you can't deliver -- if you can't specify
11 what you said you were going to deliver, you will never
12 be found to be at fault, so that the explicitness
13 becomes pretty important.

14 But that to me is where it should close.
15 And there always will be two issues: Did you achieve
16 what you said you wanted to do, and did the plan do
17 what we thought it was supposed to do, but equally is
18 it still the plan that you want to follow because, you
19 know, five years later you have learned a lot and you
20 may have decided the mix isn't right.

21 THE CHAIRMAN: Okay. Suppose you have
22 defined the alternative, suppose you implement the
23 five-year plan, suppose you review it at the end of
24 five years and you are nowhere near closing on the
25 alternative, it has been a failure.

1 THE WITNESS: Mm-hmm.

2 THE CHAIRMAN: And the public is up in
3 arms over the fact that it has been a failure in that
4 particular unit or a series of units, the goals have
5 not been achieved, et cetera. What is --

6 MR. FREIDIN: You are assuming that the
7 goal in that question has not been achieved, I assume,
8 as a result of improper management as opposed to
9 situations which do arise where the goal is not
10 achieved not through a lack of management but for
11 other --

12 THE CHAIRMAN: No, obviously we are
13 looking at the failure being improper management, not a
14 natural disaster or a market.

15 MR. FREIDIN: No reasonable explanation
16 for the failure.

17 THE CHAIRMAN: That's right.

18 MR. FREIDIN: Right.

19 THE CHAIRMAN: But it just hasn't met the
20 expectations of the public which were explicit enough
21 so that the goal was measurable and defineable, et
22 cetera.

23 THE WITNESS: Yes.

24 THE CHAIRMAN: At that level what is the
25 recourse of the public at that point in time, or is

1 there any?

2 THE WITNESS: Well, an evaluation that
3 was systematic should identify that either there was an
4 incorrect functional relationship in one of these
5 forecasts or that implementation was wrong, didn't
6 implement what that said, because one of those two
7 things has to be wrong in the case you describe.

8 If it's this one (indicating), it's a
9 matter of: Are you learning, and I think the public
10 can't realistically expect everybody to be able to
11 forecast the future perfectly. As long as there was
12 evidence that the system is learning and trying to do
13 better, I would feel relatively comfortable.

14 If it's a failure to implement, then
15 there will be argument about whether the failure
16 resulted from insufficient funds or poor markets or
17 whatever, but the key is to identify what it is that
18 caused the failure and deal with that, rather than
19 simply to trash the plan and get all upset.

20 THE CHAIRMAN: But is the remedy for the
21 public essentially a political one?

22 THE WITNESS: I don't think it needs to
23 be. I think that if -- I believe that could work, that
24 in a local management unit you could make a public
25 forum to the kinds of groups you described earlier

1 where they could in fact look at these things.

2 I like the idea of adding the extra loop
3 so they can help generate maybe an alternative 5, 6 and
4 7, that you get a choice that you try to implement and
5 that even though the public group would have changed
6 over five years as would some of the other players,
7 I think you could close.

8 MR. MARTEL: There is a problem.

9 THE WITNESS: Yes?

10 MR. MARTEL: There is a problem because
11 the public will want to be assured that in developing
12 the alternatives all the factors that they want in have
13 to be included, and if they are not in there somewhere
14 right at the beginning they will be suspicious that
15 the - a term I used yesterday - there might be some
16 smoke in mirrors there, and not all the factors are
17 being considered.

18 And how do you overcome that type of
19 suspicion that, let's say, they go to a meeting, the
20 first one they go to they said: Holy smokes, you
21 forgot all of this. And somebody says: Well, yeah,
22 you are right. And they immediately say: Wait,
23 ballgame over. Can't trust this system. We have got
24 to be watchdogs.

25 Now, you either want people to be part of

1 the process. I can understand your concern about
2 accountability and I can understand your concern about
3 technical skills, but I still think there is in there
4 that the public has to be assured that in drawing up
5 those alternatives all the factors were thrown in at
6 the beginning, and unless you overcome that, I think
7 there will be suspicion.

8 THE WITNESS: I think that that is not --
9 that is true. Certainly if you turned it the other
10 way, the degree of credibility that whatever is chosen
11 has or enjoys will depend on the degree to which the
12 public perceive that the right things have been
13 considered.

14 The key again is to have in here people
15 who can make those things sufficiently explicit it when
16 they enter so that rather than say while we were having
17 our discussion and leafing through your notes and
18 saying that it was on the December 8th, 19 whatever, we
19 talked about that, so therefore it was considered, you
20 are able to say it's in in this format.

21 The earlier this morning we looked at
22 these forecasts of timber. There are no such numbers
23 in any of the management plans, but the tools that
24 generate those are such that it wasn't much of a trick
25 to go to the computer program and find out exactly what

1 that harvest schedule was. You can't hide it; if you
2 do it in an explicit way you cannot hide an assumption
3 from them, you just can't do it. I can find it, that
4 is my business.

5 MR. MARTEL: There is a difference.

6 THE WITNESS: I think that Mrs. Koven has
7 suggested that there are people out here that have that
8 skill and that they would find it in those things.
9 It's not much of a trick to go and find what, in this
10 case, what the actual harvest schedule was.

11 It was never written down, but it had to
12 be there, so it was simply a case of saying if they are
13 going to do this, what harvest schedule does that
14 result in, and there it was. That is what that proves.

15 THE CHAIRMAN: But in your model, is not
16 that accomplished to some extent by the planning team
17 in developing the alternatives discussing with the
18 public what should or should not be included in terms
19 of arriving at those alternatives?

20 THE WITNESS: Yes. I think the makeup of
21 the planning team is crucial in the context that Mr.
22 Martel has raised as well, that you need to have the
23 right mix of people so that the right kinds of things
24 get built in early. And I think the system would be
25 credible if we allowed a recycle loop in here

1 (indicating) so that there was the opportunity during
2 that discussion for new alternatives that hadn't been
3 foreseen to arise.

4 The most important difference from the
5 conventional approach is that there be more than one
6 proposal. I mean, if you think about it, the argument
7 is this plan or chaos is the kind of approach we tend
8 to use in our society, rather than to say that our real
9 problem is that there is an infinite array of
10 possibilities and in order not to get too confused we
11 say there is only one. If we said there were half a
12 dozen I think the system could work.

13 MR. TURKSTRA: Q. Dr. Baskerville, Mr.
14 Hanna has just advised me that he wants to ask the
15 Board to have that as an exhibit.

16 Before it gets into an exhibit, you have
17 been talking about a secondary loop that would have the
18 public interacting with the planning team to develop
19 the alternatives or to add to the alternatives. Is
20 there a way you can draw that on there before we press
21 the magic button?

22 A. I started to, and then maybe we could
23 build an internal loop down like that (indicating) that
24 simply linked these two in the generation of the
25 alternatives, but then eventually concludes to choose

1 one and then goes back.

2 THE CHAIRMAN: Okay. Exhibit 983.

3 MR. TURKSTRA: Do you want to hit the
4 green button -- red button, green button.

5 THE WITNESS: What do I push?

6 MR. TURKSTRA: Green button.

7 THE WITNESS: Green button.

8 MR. TURKSTRA: Envelope, please.

9 THE WITNESS: (handed)

10 MR. FREIDIN: Sign it.

11 MR. TURKSTRA: There you go. Next
12 exhibit, Mr. Chairman. (handed)

13 ---EXHIBIT NO. 983: Hand-drawn diagram by Dr.
14 Baskerville.

15 MR. HANNA: Mr. Chairman, could I just
16 interrupt here because I don't want to interrupt the
17 stream of Mr. Turkstra's re-examination, but there is a
18 new subject that has come up and I think there's just a
19 small point to clarify with that.

20 I just would like to get Dr.
21 Baskerville's clarification in terms of when he is
22 talking about that feedback loop with the public back
23 generating more alternatives, how he sees that
24 happening with respect to having access to those tools
25 and whatever are needed to generate the alternatives,

1 if that's a fair question. I just wanted to get that
2 clarified, if I could, how he sees that action
3 happening?

4 THE CHAIRMAN: Like the GIS and that kind
5 of thing?

6 MR. HANNA: Well, that feedback loop, how
7 he would actually see the public interfacing with the
8 planning team to make that loop happen.

9 THE WITNESS: If the alternatives that
10 are proposed are stated in a clear manner, explicit in
11 terms of numeric targets and that sort of thing, a
12 reaction I can see happening would be: You have never
13 looked at a plan where we tried to get more than 10
14 moose per 10 square kilometres, so please find a way to
15 get it up to 12 or 13.

16 So that comes back down and what you are
17 looking for from the planning team is to provide
18 technical consistency in whatever forecast comes back
19 that you have some assurance that the proposed actions
20 are consistent with the objective that is there. That
21 is their role, is to ensure that the means and the ends
22 don't drift apart.

23 MR. MARTEL: We have had a whole variety
24 of people that have asked to have representation on the
25 planning team and could they be put in as an advisory,

1 after let's say the design, some sort of advisory
2 committee so that in fact they would be the ones
3 helping to establish the new alternatives, rather than
4 just hopefully some informal mass out there that might
5 come together and do it, that in fact you structured in
6 a way that they actually form all of the groups who
7 might, like the Anglers & Hunters and Forests for
8 Tomorrow and so on - they have an opportunity to help
9 make the proposal for the other alternatives over and
10 above the five or six that might be established by the
11 planning team itself.

12 THE WITNESS: We have created a creature
13 here suddenly, so that it seems to me public could be
14 your advisory committee if you wanted to. The
15 distinction that I believe is essential to maintain is
16 a distinction between the technical design where you
17 insist on maintaining a consistency between actions and
18 expectations, and any group that says: Here's what we
19 would expect.

20 MR. MARTEL: Yes, and what I'm looking
21 for --

22 THE WITNESS: Or what happens we desire,
23 but are able to separate them.

24 MR. MARTEL: Well, as we have gone
25 through the evidence and everybody has cross-examined,

1 I guess it was during the last panel -- well, over a
2 number of panels, there isn't a group that hasn't
3 requested that they have someone on the planning team,
4 and it's because they have an interest.

5 And it seems to me one might structure it
6 more formally so that in fact they know that you have
7 the design team, but in fact out here you have another
8 group, I don't want to call them the watchdogs, but in
9 fact people who help to keep the design team relatively
10 alert, if I can use that term.

11 THE WITNESS: I take the point, but I
12 keep repeating myself I guess, but we will not achieve
13 on the ground that which we expect unless we someplace
14 have in the structure a firmly accountable group who
15 are accountable for the technical rectitude of: These
16 actions will give these results.

17 Someplace somebody has to be held
18 accountable for that, because the public can simply
19 say: We want lots of moose and we don't want any
20 clearcutting and, in the long run, those are
21 inconsistent goals. They are all right now, but as the
22 old moose wintering areas fall down there is no -- we
23 run short of summer food.

24 MR. MARTEL: But isn't that where your
25 experts, the people from the Ministry then can take the

1 time to explain to the public just in fact if you
2 advance that sort of proposition that it's not
3 workable.

4 THE WITNESS: That is precisely why I
5 would have that technical, that planning group
6 technical and the group that chooses amongst the goals,
7 the alternatives essentially representative of interest
8 groups and the public.

9 MR. MARTEL: Yes. We are pretty well
10 speaking the same thing. I don't suggest that one
11 might want to formalize it so that in fact the public
12 knows they have a role and they can come together,
13 because in certain areas you will have stronger groups
14 than in other areas. I mean, some parts of the
15 province you might not have -- you will have some
16 anglers and hunters but you might not have someone
17 there representing one of the environmental groups.
18 You want to make that team as strong as possible across
19 the province as a team of advisors.

20 THE CHAIRMAN: But I think you're
21 indicating -- aren't you indicating it should be
22 formalized in that fashion though?

23 THE WITNESS: I think as the idea evolves
24 here that that is not a bad idea, that it might be a
25 little extreme to suggest you elect them. No, it is

1 extreme because what you want is representation
2 proportional to ideas, and I think that it's safer if
3 you get the particular ethics that are involved in that
4 choice amongst the top involved directly and the best
5 way to do that is to choose them.

6 MR. TURKSTRA: Q. In terms of now going
7 back to what you called the technical team, the people
8 who are being held accountable, there were some
9 questions put to you I think by Mr. Martel and the
10 Chairman that related to authorship of the timber
11 management plan, and I don't think your answer was very
12 clear as to geographically where you feel that
13 technical team can function.

14 In other words, do they have to be in one
15 spot; if so, where is that spot, or can they be at
16 different levels of the Ministry?

17 So if instead of it being one person it
18 turns out to be a team that is responsible, being held
19 accountable for that management plan, do you have any
20 view as to where that team should be located?

21 A. I would locate it as close to being
22 on the geographic area that is being managed as you can
23 get and I would, to the extent possible, get all the
24 players at least in one building.

25 That group needs to come to understand

1 some of the technical background of each other. The
2 only way that you will get good timber management and
3 moose habitat management integrated -- good integrated
4 management, put it that way, of the two is if those two
5 people begin to understand the needs in the one case of
6 providing timber of the right quality and right cost to
7 form the raw material flow that is needed; in the other
8 case to provide habitat of the type that is needed to
9 maintain a moose population. There will be some
10 increase in understanding each of the other and that
11 will happen best when the group is tight and when it's
12 in one location.

13 Q. The Chairman asked you some questions
14 about the signing of the plan and the input up the line
15 from that one location, and you responded to that in
16 similar questions with a discussion about the
17 information coming from the bottom up to the
18 decision-makers rather than from the decision-makers
19 and coming down.

20 In the course of doing your audit were
21 you able to find a specific illustration of, what I can
22 call, input at the provincial level with, say for
23 example, wood volumes that was illustrative of what you
24 were trying to explain to the Chairman?

25 A. The simplest example would be the

1 production target -- timber production target that
2 existed at that point in time. I looked at a lot of
3 letters and memos and material related to that number
4 and in a very general sense it was arrived at from a
5 global view of the forest, from a provincial view of
6 the forest and not by looking at what each of the
7 management units had the capability to produce and
8 building upwards.

9 So that there was no linkage, literally
10 no biological linkage between that production target
11 and the capability on the ground, and that is the kind
12 of lack of connection that is dangerous. The goal can
13 be chosen separate from the means to deliver is really
14 dangerous.

15 Q. Last week, Dr. Baskerville, the
16 Chairman put some questions to you about the ability of
17 the wildlife managers and the timber managers to have
18 the ability to develop an integrated plan through
19 discussion and communication. And can you give, in a
20 summary way, your best opinion on the manner in which
21 that can actually be carried out? What are the key
22 components of that kind of communication and
23 discussion?

24 A. That it be rigorously correct in a
25 technical sense, that the means and ends are kept

1 always in context, that it be quantitative forever to
2 the extent possible so that each sees what the other
3 really wants, rather than a feel, sees an amount that
4 you are trying to reach, a level you are trying to
5 reach and that each has an opportunity to learn how the
6 other sees the part of the system that he's concerned
7 with.

8 Q. And does that relate to using the
9 same land base?

10 A. Yes, if I were to -- the actions that
11 are planned and the responses measured, if they aren't
12 on the same land base there will be confusion, it
13 simply is going to be very difficult to close the loop
14 we were looking at earlier where you say: Did
15 implementation achieve what you wanted.

16 There will be confusion if those are
17 different. If you take the actions on one land base,
18 measure a response on another, there will be confusion.

19 Q. Last week the Chairman asked you some
20 questions about a real or perceived bias on the part of
21 foresters, and Mrs. Koven questioned you about whether
22 there might be a difference in terms of the general
23 protection of the environment between constraint
24 management and adaptive management.

25 And I would like you to give your best

1 practical advice to the Board on whether there is a
2 difference, in your view, between the protection of the
3 environment as it might be seen in a global sense
4 between the two systems; in other words, is there less
5 protection for the environment using adaptive
6 management than under constraint management, or how do
7 you view that balance?

8 A. I would argue that using constraints
9 you give more appearance of protection, but less actual
10 protection. And the difference is that if you are
11 actually trying to assess some environmental feature
12 over time and keep it above some level, you have -- you
13 learn faster, you learn both about that feature and
14 about its relationship to others; whereas with a
15 constraint approach, there is, in being human, a very
16 high tendency to meet the constraint and then step back
17 because you fulfilled the role.

18 Q. And last week Ms. Kleer was asking
19 you some questions, you recall, about representing the
20 interest of the First Nations, and arising out of those
21 questions can you tell the Board whether, in your
22 opinion, there is any difference in principle between
23 managing the forest to meet the needs of a native
24 population or for the needs of other populations such
25 as populations of mill workers or the mills themselves

1 or habitat?

2 A. There isn't a distinction in kind.
3 It might be a little more difficult to define some of
4 them, but if you take a simple example, needs for
5 firewood, are in fact a consumptive use which could be
6 identified as part of the harvest schedule. So the
7 principles are the same I would argue.

8 Q. Again, I think it was last Wednesday
9 Mrs. Koven asked you whether or not you wouldn't expect
10 to find that the industries operating in the forest
11 would want simple answers to straightforward questions,
12 and I took that to mean that might cause problems for
13 the adaptive manager or, put another way, what is the
14 final product of adaptive management as far as
15 companies are concerned, and is it what they really
16 want, or do they want simpler answers?

17 A. The answers that an industrial user
18 seeks in most respects are just as complex as those of
19 anybody else. We don't see them as clearly or hear
20 about them as much as we do the other, but it is in
21 fact, in my experience, easier to get someone who owns
22 their own forest, a company owns their own forest and
23 operates it industrially to engage in this kind of --
24 in a process of management because they see an ability
25 to control wood cost, quality of material, time of

1 availability, time of delivery, development of the
2 transportation patterns.

3 They become very interested in being able
4 to forecast, just find the possibilities which over
5 time will allow them to run their operation at -- well,
6 to remove some of the uncertainty out of the side of
7 the operation, the forest side of the operation because
8 they can't remove uncertainty out of the market side.

9 Q. And turning to Mr. Hanna's questions
10 to you and arising out of his questions about the
11 similarities between adaptive resource management and
12 environmental assessment, I wondered if you had said
13 all you wanted to say about the comparison between the
14 two?

15 A. The point I was trying to make was
16 that, in principle, they are identical processes, that
17 no matter how we do it, whether it is in our mind or in
18 a computer, in both cases we are making a forecast that
19 this action or this group of actions will lead to this
20 consequence and we are evaluating the consequence.

21 In the case of timber management, you are
22 trying to deliver -- the consequence you are trying to
23 achieve is usually a consistent availability of raw
24 materials at the right quality at the right cost.

25 In the case of environmental protection

1 or environmental impact assessment, you are trying to
2 evaluate the probability of the occurrence or the
3 nature of occurrence, timing of occurrence and extent
4 of occurrence of an event that you believe you don't
5 want to have happen, but in both cases you are making a
6 forecast of system dynamics saying: What will these
7 actions lead to.

8 The difference is, in one case you're
9 designing to cause something to happen and in the other
10 your design is going to prevent something from
11 happening. If you in fact consider integrated
12 management in the way we have discussed it, it
13 automatically becomes both.

14 You could say you will do timber
15 management and then see what the impact is on moose or
16 you can say: I am going to put moose and timber in one
17 and I am going to manage to get both, and in fact what
18 you do is convert the prevention of damage to moose
19 habitat to the generation of moose habitat to sustain a
20 population. They are not different conceptually, both
21 involve forecasts and the quality of both will depend
22 on the technical underpinning of the forecast.

23 Q. Dr. Baskerville, you were asked a
24 number of questions about what's going on at the
25 Ministry and some of those questions were related to

1 the time frame that you did your audit and some of them
2 seem to be related to what's your view today. And you
3 were asked what changes, if any, were needed at the
4 Ministry to implement the recommendations, and I think
5 you said none.

6 Do you wish to amplify or expand on that
7 in any way in terms of, today are there changes?

8 A. The changes aren't the kind, in my
9 view, that one might want to do, would be of degree not
10 in kind. It is a question of how you facilitate the
11 process functioning the way it was designed to
12 function. If it isn't doing what it is supposed to be
13 doing, to modify it and improve it.

14 There are examples existing today in the
15 province of all of the things that we have talked
16 about, the good things like habitat supply analysis you
17 heard earlier this morning, that there are people
18 looking at it here, attaching volume forecasts that are
19 in parallel with the area regulation are becoming a
20 relatively common thing in the province. So that the
21 issue I think is the quality with which these things
22 are done rather than the structure.

23 Q. Is there one key area that's
24 operations or personnel that you would focus on?

25 A. I suppose it would be -- if I had to

1 pick one, it would be to elevate the technical skills
2 and forecasting skills at the level of the planning
3 team, particularly the unit forester.

4 Q. I am trying to put that in context
5 from '86 up to the present time. Have you encountered
6 evidence that Ontario is already moving?

7 A. Yes.

8 THE CHAIRMAN: Well, you may have
9 encountered evidence, but you certainly haven't been
10 privy to the evidence that's been before this Board in
11 that area.

12 MR. TURKSTRA: No, I'm not asking him
13 that question, Mr. Chairman. Very carefully what --
14 because he was asked a number of questions in which the
15 time frame was really the present, and I wanted to,
16 with Dr. Baskerville, clarify exactly that boundary
17 between '86 and '89 if I can on the basis of his
18 experience, not having -- it may be totally out of
19 whack with what you've heard, and if it is, I'm sure
20 the Board will disregard it.

21 Q. Can you give the Board some example
22 of where that movement is taking place?

23 A. The simplest example would be in the
24 area of developing volume forecasts parallel to the
25 area regulation where a process called crop planning

1 has developed to quite an elegant extent. There is a
2 substantial report on how do it.

3 And what it is in simple terms is: What
4 actions will lead to the availability of desired crops
5 over time, a principle that could readily -- it happens
6 to be applied to volume, but could be extended quite
7 readily. It is at or near state-of-the-art.

8 Q. And are there places in Ontario where
9 that type of adaptive management is starting to be
10 implemented now to your knowledge?

11 A. Yes. I'm sure human nature, if
12 you -- once you get over the hump of making your target
13 explicit enough that you can't waffle when you make the
14 comparison between reality and the forecast, human
15 nature is such that you adapt.

16 The first thing you do is say: Why is it
17 different and do I still want to get there and, if I
18 do, how do I have to change the action, and I think a
19 simple example again would be the crop planning
20 procedure, it is designed to do just exactly that.

21 MS. SWENARCHUK: Mr. Chairman - excuse me
22 Mr. Turkstra - am I to understand that this is a
23 Ministry document, and then I guess my next question
24 would be: Are we going to see that document?

25 MR. FREIDIN: Mr. Chairman, my response

1 to that is that this case has got to end somewhere.
2 Things are ongoing in the Ministry all the time, it is
3 our commitment to the Board to in fact ensure that as
4 best as possible it has all of the information before
5 it makes its decision, and it may very well be that we
6 will have to provide some of that update information in
7 our reply evidence.

8 We just can't keep -- we can be here
9 forever. And so my answer is: We are not going to
10 avoid anything, we intend to fully advise the Board, we
11 do not intend to introduce that evidence as part of our
12 case in-chief.

13 THE WITNESS: Mr. Chairman, I happen to
14 know this because the people developing it asked me to
15 review the paper. It is in draft form. I can easily
16 understand Mr. Freidin's point, that it certainly shows
17 evidence in the direction I suggested of change.

18 MR. TURKSTRA: Q. The purpose of my
19 question, Dr. Baskerville, is that in the course of
20 responding to the Chairman's questions about how do you
21 implement this, you and the Chairman had a discussion
22 about incremental implementation, and if I recall that
23 question correctly his question to you was: You might
24 then start with one or two management units, and is it
25 your understanding that one or two management units

1 have already started.

2 And flowing from that question did you
3 mean by your answer to the Chairman that the process
4 should stop now because one or two are already going?

5 A. No, I certainly didn't -- there is no
6 need for examples to show that this is possible, it is
7 possible; the issue is the rate at which you introduce
8 these things.

9 The two extremes I think are trying to
10 prevent it or trying to do it all at once, are
11 unworkable. I believe that you couldn't in fact stop
12 the process now from what I've seen at various places
13 in the province.

14 What's at issue isn't do you want one or
15 two examples, but how do you nurture the development of
16 this particular approach. It is almost a culture, an
17 analytical approach to dealing with resources.

18 MR. MARTEL: I want to go back to what
19 Mr. Freidin said, if I could, just for clarification.

20 I have just been listening to Dr.
21 Baskerville's answer. If it is proceeding and you have
22 some documentation, it might short circuit a lot of
23 work, a lot of direct examination or evidence if in
24 fact that could be made available because, as I
25 understand it, certainly Mr. Hanna will be going along

1 that line and I suspect Forests for Tomorrow.

2 I understand it is a draft, but surely if
3 we are going to have a lot of evidence presented on the
4 process then, in fact, it might be wise if that could
5 be in some way expedited which in the long run would
6 serve us all a lot of time saving.

7 MR. HANNA: Mr. Chairman, could I address
8 the Board on that, because I sat here and listened to
9 Dr. Baskerville's evidence and I am seeing a lot of
10 convergence potentially in where we are going on this
11 case, and I am looking at exactly what Mr. Martel has
12 just said in terms of ways to expedite the process.

13 It seems to me at this point that many of
14 the items that I had seen to bring forward in my case
15 may well be already being implemented by the Ministry,
16 and that what we are really talking about here is a
17 matter of rate, not a matter of where, but how quickly
18 we are going to move in that direction.

19 And if that is the case -- I had
20 anticipated quite honestly to deal with part of this
21 through the negotiation process when we deal with terms
22 and conditions, but I certainly would like to make it
23 clear to the Board that my client is open to any sort
24 of process that can lead to shortening this hearing and
25 leading toward the direction that Dr. Baskerville is

1 talking, more expeditiously.

2 So I just want to make this clear, that I
3 am open to that and I certainly think Mr. Martel's
4 comment has some merit.

5 MR. FREIDIN: And the Ministry is open to
6 making those documents available when they are final.
7 I have made my position, or the Ministry's position
8 quite clear on that in the past, we will make those
9 documents available when they are final and the timing
10 may be such that it can, in fact, and will I think
11 perhaps be able to be considered in terms of other
12 peoples' cases.

13 So I understand what you are saying, Mr.
14 Martel, and in fact the Ministry intends to assist
15 people in any way, particularly if it is going to
16 shorten this hearing.

17 THE CHAIRMAN: All right, Mr. Freidin. I
18 think the Board would like to advise that it would be
19 in everyone's interest for these documents to be in the
20 hands of the parties as quickly as possible.

21 I can understand, quite frankly, the
22 reluctance in some cases to put forward draft documents
23 which are in draft stage which do not represent the
24 final positions arrived at through a development
25 process on the part of various parties, particularly

1 the ones that are looking towards the implementation of
2 new systems.

3 Sometimes draft documents have the
4 opposite effect; they lengthen the proceedings because
5 they raise questions and hypotheses which have not yet
6 been fully thought through and you could be led down
7 all kinds of various paths which --

8 MRS. KOVEN: Excuse me, Mr. Chairman.

9 This document you are talking about, is it new or
10 different than the types of volume calculations that we
11 now see in some of the timber management plans that are
12 not formally required but are done in certain cases?

13 MS. SWENARCHUK: Maybe this can all be
14 shortened if we could just establish that in fact this
15 is not the system that is yet being implemented, but is
16 simply a draft document of a policy which may be
17 implemented some time in the future. I think that's
18 important for all of us to know.

19 MR. FREIDIN: Well, I think it is
20 something that is coming out of the technology
21 development unit, so I think it is something new. It
22 has not been developed to a final stage as yet.

23 THE CHAIRMAN: Well...

24 MR. FREIDIN: And, therefore, is not
25 being implemented at the present time.

1 THE CHAIRMAN: In that respect, I think
2 if the Ministry undertakes to provide that document or
3 that policy as quickly as possible, as soon as it is
4 either finalized or as near enough to finalization to
5 be representative of the Ministry's position, then that
6 will provide the basis for meaningful discussion and
7 critique on the part of other parties.

8 I think the Ministry's point should be
9 taken and this should be taken in the light of the
10 other parties' positions as well, that things are in a
11 state of development and there must be all kinds of
12 things ongoing both at the technological level, at the
13 policy level, and at the implementation level.

14 We can't automatically have everything
15 before this Board that has been dreamed up by anybody
16 no matter at what stage of its evolution. If it is at
17 too early a stage, it will likely confuse issues more
18 than provide solutions.

19 So that I don't think the Ministry should
20 necessarily be compelled to provide all studies or all
21 conceptual ideas that they are presently considering.
22 There may be a host of reasons for not bringing them
23 forward further.

24 MR. TURKSTRA: Mr. Chairman, my point
25 with Dr. Baskerville was just slightly different in

1 that he had been asked to give his opinion to you as to
2 how to implement it, and it was his view that in
3 thinking that over that he had left you with the
4 impression that that was how it stood today, and that
5 if you took his answer and were to adopt it, it would
6 actually take the Ministry backwards, because today
7 there are already - as I think we have now got clear
8 from his evidence - people who are working for the
9 Ministry such as Mr. Goodfield, for example, I think at
10 what is being done at Timmins and what is being done at
11 Thunder Bay, that where it is being implemented.

12 Am I correct so far, Dr. Baskerville?

13 THE WITNESS: (nodding affirmatively)

14 MR. TURKSTRA: And his concern was that
15 his answer might not be taken as meaning that nothing
16 is happening today, he was looking back at '86, and nor
17 would he I think...

18 Q. Dr. Baskerville, would you consider
19 that if the Ministry stopped where it was today, would
20 that be something that you would recommend?

21 A. No. The point made that this is an
22 evolutionary thing I think is crucial and I just wanted
23 to recognize that in fact there was a process that was
24 evolving that was quite different and I think quite
25 good.

1 MR. MARTEL: The only thing that worried
2 me is if that process is there and it's underway and
3 people are in the process of setting terms and
4 conditions in preparing their own cases, if we could
5 short circuit that by knowing what MNR is doing, then
6 in fact you are going to save a lot of time down the
7 road; I mean, a heck of a lot of the time I would
8 think.

9 That is not asking them to come forward
10 with something that isn't approved, but if that process
11 is going on then - and obviously it is the direction
12 that many parties are concerned about - it is best that
13 that be known so that in fact people adjust their case
14 to what actually occurred.

15 THE CHAIRMAN: Well, Mr. Freidin, will
16 you make whatever information is available to the
17 extent that you feel it appropriate during the
18 negotiating sessions?

19 I mean, this could be an area where the
20 parties could be provided, if you feel there is
21 something to provide them with, with that kind of
22 information about this kind of program.

23 MS. SEABORN: Mr. Chairman, I think one
24 of the concerns that was raised earlier either by Mr.
25 Hanna or Ms. Swenarchuk is that what is MNR's position

1 now.

2 Evidence hasn't been led on these matters
3 and there is a set of draft terms and conditions that
4 are in front of us that parties are now in the process
5 of responding to, draft terms and conditions.

6 To the extent that MNR's position has
7 changed and, as Mr. Martel has stated, will alter MNR's
8 terms and conditions that we are all responding to now,
9 that would be useful.

10 Now, Mr. Freidin appears to be shaking
11 his head, and if that means his terms and conditions --
12 he does not foresee them changing at this point as a
13 result of the work that's being done, then even that
14 information is helpful for those of us who are
15 preparing our terms and conditions because then we know
16 what to respond to.

17 MS. SWENARCHUK: That was the reason I
18 asked to clarify exactly that question.

19 MR. FREIDIN: I don't believe that the
20 terms and conditions which have been submitted by the
21 Ministry will change as a result of what's happened
22 here today.

23 There are terms and conditions there. If
24 you look at them, do indicate a direction that the
25 Ministry is moving in. There is reference in those

1 terms and conditions to long-range projects such as
2 GIS, such as HSA, which we have referred to here. I
3 think what really I am saying, Mr. Chairman, is that
4 the evidence has been that we are moving in those
5 directions.

6 The evidence, and I think the position I
7 am trying to put forward, is that the technical aspect
8 of those must be developed in the spirit and in the
9 manner indicated by Dean Baskerville. The technical
10 people are looking at that and when in fact those
11 projects get to certain stages of development, they
12 will in fact obviously be presented to the public if
13 this hearing is still going on, perhaps when we come
14 back for an extension of the approval.

15 There has been evidence filed in Panel 16
16 which deals with and explains some of those initiatives
17 which are ongoing. So to suggest that we have not -- I
18 don't want to leave the Board thinking for some reason
19 that we have not made every effort to bring the Board
20 and the parties right up to date as best as we can at
21 this point in time and we will continue to do that, and
22 in the structure of this hearing, the opportunity we
23 have to bring you more up to date two years from now is
24 in reply evidence, and we fully intend to do that.

25 THE CHAIRMAN: Very well.

1 Mr. Turkstra?

2 MR. TURKSTRA: Thank you.

3 Q. Dr. Baskerville, when Ms. Seaborn was
4 asking you questions she gave you a series of questions
5 about keeping the older forest for habitat, and you
6 said you thought to do so might violate the guidelines.
7 And I wonder if you can illustrate for the Board what
8 you meant by that?

9 A. I think that was a discussion of the
10 need to retain, in the forest, some stands that would
11 be older than the normal rotation age.

12 MR. TURKSTRA: We won't make this an
13 exhibit, Mr. Freidin.

14 MR. FREIDIN: Thank you.

15 THE WITNESS: I think the diagram we were
16 looking at was, if this is area and this is the
17 age-class here, we were looking at a balanced age-class
18 structure and the concern was that if we plotted the
19 yield curve for the stands that the condition -- the
20 stand condition characterized by that stage might be
21 required for something other than timber; whereas it
22 wouldn't exist if you -- in classic timber management,
23 the oldest stand would be at the age of rotation.

24 And my suggestion was that you could in
25 fact simply build an age-class structure that looked

1 like that (indicating) where a portion of the forest
2 was carried -- the stands were carried to an older age.
3 You have the same total area and you still maintain the
4 principle of a balanced structure, but you do achieve
5 that particular -- the maintenance of that
6 particular --

7 MR. TURKSTRA: Q. How does that violate
8 the guidelines?

9 A. I guess the phrase 'violate the
10 guidelines' came up that if someone got really strict
11 and said that you are going to work by rotation, then
12 in fact if you took the rotation and specified for
13 whatever the working group is, you wouldn't get that.
14 An exception to the guidelines would have been a better
15 phrase than violation thereof.

16 Q. And finally before you go back to New
17 Brunswick, can you -- you said that bureacracy has a
18 way of incapsulating new things.

19 Can you summarize as a result of the
20 questions that were put to you what, in your opinion,
21 are one, two or three key things that you would want
22 the Board to understand as your opinion?

23 A. I will put it simply as I can.
24 First, a need to ensure that a manager is free to
25 manage, that he isn't a passthrough agent, that he

1 actually is an intellectual player in the design and
2 implementation of management.

3 Second, that the consistency between the
4 unit, however defined, on which you take the action and
5 the unit on which you assess the responses be the same,
6 and my concern there is, as I explained earlier, to
7 retain accountability in the tightest possible manner.

8 And I suppose the third point, if I were
9 to have three, would be that the design of management
10 at the unit level and the role of the unit forester and
11 the planning team predominate in the process; that
12 that's the level where if things come together from
13 different uses and different values, they will come
14 together and that, for that reason, that level is the
15 one that I would emphasize.

16 Q. Can you go back to New Brunswick now,
17 with this perspective?

18 A. As soon as I buy this book.

19 MR. FREIDIN: I suggested, Mr. Chairman,
20 that it would probably be improper if Dean Baskerville
21 received that book in any fashion other than gratis
22 with your signature.

23 THE CHAIRMAN: It probably would.

24 MR. TURKSTRA: Those are my questions,
25 Mr. Chairman.

1 THE CHAIRMAN: Thank you, Mr. Turkstra.

2 Thank you, ladies and --

3 ---Discussion of the record

4 THE CHAIRMAN: Mr. Martel has referred,
5 Mr. Cassidy, to the fact that Mr. Cosman at one point
6 indicated that before we rose he might be giving a
7 short dissertation as to the industry's case, an
8 outline of some sort.

9 MR. CASSIDY: I spoke to Mr. Cosman this
10 morning about that and he informed me that he now
11 intends to provide a little bit later a written outline
12 to all full-time parties prior to Christmas along with
13 several other witness statements that I am sure you
14 will be looking forward to.

15 THE CHAIRMAN: All right. We have also
16 been advised by Mr. Hanna that he will be submitting to
17 the Board a Notice of Motion with respect to his
18 concern which we discussed earlier in this proceeding,
19 and the Board has undertaken to distribute that Notice
20 of Motion to the requisite parties as soon as possible
21 and we will indicate also, if it is not indicated in
22 the Notice of Motion, as to the return dates for that
23 notice which I believe was the --

24 MR. HANNA: January 18th I believe.

25 THE CHAIRMAN: January 18th, at that

1 time.

2 MR. TURKSTRA: Can I ask a personal
3 favour. My experience in matters like this is I end up
4 on everybody's mailing list and as a consequence, for
5 the next two years people are going to be sending me
6 notices - I get on word processing mailing lists - and
7 can I ask the parties please, I am going back to
8 Hamilton, you don't have to send me any more mail.

9 THE CHAIRMAN: Okay. You are officially
10 off everybody's mailing list.

11 MR. TURKSTRA: Thank you.

12 THE CHAIRMAN: Well, ladies and
13 gentlemen, the Board would like to take this
14 opportunity to wish all of you a safe and pleasant
15 holiday season. And, Dean Baskerville, we want to
16 thank you for participating as you have in this
17 session. And we will now officially adjourn until
18 January the 9th.

19 Thank you.

20 ---Whereupon the hearing adjourned at 12:05 p.m, to be
21 reconvened at the Ramada Prince Arthur Hotel,
22 Provincial Room, 17 N. Cumberland Street, Thunder
23 Bay, Ontario, on Tuesday, January 9th, 1990,
24 commencing at 8:30 a.m.

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